

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,

Plaintiff,

v.

MICRON TECHNOLOGY, INC., MICRON
SEMICONDUCTOR PRODUCTS, INC., AND
MICRON TECHNOLOGY TEXAS LLC,

Defendants.

CIVIL ACTION NO. 2:22-cv-203-JRG-RSP

JURY TRIAL DEMANDED

UNOPPOSED MOTION TO EXCUSE LEAD COUNSEL

Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Technology Texas, LLC (collectively “Micron”) moves for leave to excuse its lead counsel, Thomas M. Melsheimer, from the requirement of the Court’s Standing Order Regarding “Meet and Confer” Obligations Relating to Discovery Disputes that he attend the hearing set for October 23, 2023, in-person. In support of its motion, Micron shows the following:

On September 26, 2023, the Court set a hearing for October 23, 2023 at 9:00 a.m. for several discovery motions. Micron’s lead counsel, Thomas M. Melsheimer, is scheduled to be in trial for another matter that day. Micron is represented by other counsel in this case who are familiar with these disputes and are fully capable of presenting argument and responding to any inquiries from the Court on these matters.

To facilitate the disposition of these motions in view of the current schedule in this case, Micron respectfully requests the Court excuse Mr. Melsheimer from attending the hearing.

Plaintiff does not oppose the relief requested herein. For these reasons, Micron respectfully requests leave to excuse lead counsel from the in-person attendance requirement of the Court's Standing Order for the October 23, 2023, motions hearing.

Dated: October 17, 2023

Respectfully submitted,

By: /s/ Thomas M. Melsheimer by permission
Charles Everingham IV

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**Attorneys for Defendants
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served on all counsel of record by email on this 17th day of October, 2023.

/s/ Charles Everingham IV
Charles Everingham IV

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies pursuant to Local Rule CV-7(h) that the relief requested in this motion is unopposed.

/s/ Charles Everingham IV
Charles Everingham IV